



# Schoharie County Planning Commission

349 Mineral Springs Road  
Cobleskill, New York 12043  
(518) 234-3751 / Fax (518) 234-3951

Cathie Ryder  
Chair

February 2, 2010

**Present:** Peter Shulman, Mary Ann Larkin, Michelle Boreali, Dale Terrell, Cathie Ryder, Kathryn Sorrentino, Arthur Graulich, Phyllis Chianucci and Denise Lloyd

**Absent:** Sally Ann Anderson and Richard Bates

**Also Present:** Lillian Bruno

The meeting was called to order at 7:30 p.m. by Chair Cathie Ryder

The minutes from the January 4, 2010 meeting were reviewed. Denise Lloyd made a motion to approve the minutes. Arthur Graulich seconded and the motion passed unanimously.

**Item 1 on the agenda was reviewed.** The Village of Cobleskill Planning Board referred the Tracy DBA JT's Cycle Shop Use Variance. The applicant, Joseph Tracy, is requesting to expand his current "retail" motorcycle business to include the opportunity to perform NYS Inspection for motorcycles. The applicant suggested in his application that the nature of the inspections may include such activities as changing a light bulb, installing a new tire, replacing the horn, and various other light repairs. The applicant was denied the application for a building permit by the Village Code Enforcement Officer because in order to operate an inspection station you need to register with the NYS Department Of Motor Vehicles as a repair shop. However, a "Motor Vehicle Repair Shop" is not a permitted use in the General Business (GB) District of the Village's Zoning Law. Therefore, the applicant is requesting a Use Variance to allow for this change in use. The County Planning Commission members reviewed the application for a Use Variance. It was explained to the Commission that our role is not to determine the validity of the tests for a Use Variance but to decide if the request for this variance will impact the County according to General Municipal Law, Section 239 L. The Commission reviewed the location of the business. It was discussed that it is located next to retail space, including a beauty salon and clothing store. There was discussion regarding emission testing of the motorcycles required for NYS Motor Vehicle inspections and there was concern with "light" repairs, could this potentially increase to a true repair shop. Denise Lloyd made a motion that the referral does have significant countywide or intercommunity impact due to compatibility of various land uses. Dale Terrell seconded and the motion passed with a vote of 8. Phyllis Chianucci abstained. The Commission reviewed all materials submitted. It was also discussed that the Village of Cobleskill has zoning and took time to implement standards for each zoning district and the General Business (GB) District was established to permit and not permit certain uses including Motor Vehicle Repair Shops. Kathryn Sorrentino made a motion to recommend disapproval due to the concern that allowing this use variance could potentially affect the community character. Peter Shulman seconded and the motion passed with a vote of 8. Phyllis Chianucci abstained.

**Local Concerns:**

One referral was deemed to be local concerns by Planning and Development staff in December. The referrals are as follows:

- 1 Area Variance (Peter Johnson – Town of Summit)

**Other Business:**

1. The Commission made introductions with new County Planning Commission member, Peter Shulman, from the Town of Fulton. Peter Shulman signed his Oath of Office and was notarized by Mary Ann Larkin.

Mary Ann Larking made a motion to adjourn the meeting at 7:54 p.m.

Recorded by:

Lillian Bruno